



POLICE DEPARTMENT

The  
City  
of  
New York

-----X-----

In the Matter of the Disciplinary Proceedings

- against -	:	FINAL
Police Officer Dallon Hall	:	ORDER
Tax Registry No. 956715	:	OF
Housing PSA 9	:	DISMISSAL

-----X-----

Police Officer Dallon Hall, Tax Registry No. 956715, Shield No. 15323, Social Security No. ending in [REDACTED], having been served with written notice, has been tried on written Charges and Specifications numbered 2017-17943, as set forth on form P.D. 468 121, dated January 17, 2018, and after a review of the entire record, Respondent is found Guilty of Specification Nos. 1 and 4 and Not Guilty of Specification Nos. 2 and 3.

Now therefore, pursuant to the powers vested in me by Section 14-115 of the Administrative Code of the City of New York, I hereby DISMISS Police Officer Dallon Hall from the Police Service of the City of New York.

A handwritten signature in blue ink, appearing to read "J.P.O'Neill".

JAMES P. O'NEILL  
POLICE COMMISSIONER

EFFECTIVE: 8/12/19



## POLICE DEPARTMENT

June 11, 2019

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In the Matter of the Charges and Specifications : Case No.  
- against - : 2017-17943  
Police Officer Dallon Hall :  
Tax Registry No. 956715 :  
Housing PSA 9 :

-----X-----  
At: Police Headquarters  
One Police Plaza  
New York, NY 10038  
  
Before: Honorable Jeff S. Adler  
Assistant Deputy Commissioner Trials

APPEARANCES:

For the Department: Jamie Moran, Esq.  
Department Advocate's Office  
One Police Plaza  
New York, NY 10038

For the Respondent: Marvyn Kornberg, Esq.  
125-10 Queens Blvd  
Kew Gardens, NY 11415

To:

HONORABLE JAMES P. O'NEILL  
POLICE COMMISSIONER  
ONE POLICE PLAZA  
NEW YORK, NY 10038

## CHARGES AND SPECIFICATIONS

1. Said Police Officer Dellon Hall, while off-duty and assigned to Transit District 3, on or about July 3, 2017, in [REDACTED] engaged in conduct prejudicial to the good order, efficiency or discipline of the Department, to wit: said Police Officer Hall struck a three year old minor one or more times on the chest, causing the minor to suffer bruising and chest pain.

P.G. 203-10, Page 1, Paragraph 5     CONDUCT PREJUDICIAL

2. Said Police Officer Dellon Hall, while off-duty and assigned to Transit District 3, on or about July 11, 2017, in [REDACTED] failed to notify the Internal Affairs Bureau after being interviewed by the Administration for Children's Services and learning of an allegation that he had struck a three year old child multiple times in the chest with a pair of chopsticks causing the child to suffer bruising.

P.G. 207-21

### ALLEGATIONS OF CORRUPTION AND OTHER MISCONDUCT AGAINST MEMBERS OF THE SERVICE

3. Said Police Officer Dellon Hall, while off-duty and assigned to Transit District 3, on or about April 2017, in [REDACTED] failed to notify the Internal Affairs Bureau after being interviewed by the Administration for Children's Services and learning of an allegation of child abuse.

P.G. 207-21

### ALLEGATIONS OF CORRUPTION AND OTHER MISCONDUCT AGAINST MEMBERS OF THE SERVICE

4. Said Police Officer Dellon Hall, while on-duty and assigned to Transit District 3, on or about September 8, 2017, in [REDACTED] engaged in conduct prejudicial to the good order, efficiency or discipline of the Department, to wit: said Police Officer Hall made one or more misleading statements during an official Department interview, in that he stated that he had never disciplined a three year old child in any manner other than spanking the child on the buttocks.

P.G. 203-10, Page 1, Paragraph 5     CONDUCT PREJUDICIAL

## REPORT AND RECOMMENDATION

The above-named member of the Department appeared before me on April 3, May 1, and May 6, 2019. Respondent, through his counsel, entered a plea of Not Guilty to the subject charges. The Department called Person B, Person C, Person E. and Sergeant Sharon Cooke as witnesses. Respondent called Sergeant Jeffrey Liss, Detective Rashad Vandross, and Sergeant Kinte Willis as witnesses, and Respondent testified on his own behalf.

A stenographic transcript of the trial record has been prepared and is available for the Police Commissioner's review. Having reviewed all of the evidence in this matter, I find as follows:

Specification 1 (struck a minor): Guilty

Specification 2 (failed to notify IAB, July): Not Guilty

Specification 3 (failed to notify IAB, April): Not Guilty

Specification 4 (misleading statement): Guilty

Recommended penalty: Dismissal from Department.

## ANALYSIS

This case involves an accusation that Respondent wrongfully struck Person D's three year old son in the chest on or about July 3, 2017, in the [REDACTED]. Respondent was [REDACTED] child (hereinafter referred to as "Person A"). It also is alleged that Respondent made misleading statements during his Department interview, and that he failed to notify the Internal Affair Bureau ("IAB") that there were allegations against him.

The accusation that Respondent had struck the child came to light on the morning of July 6, 2017, when Person A informed his [REDACTED] Person B, what had occurred. Person B testified that Person A was with her while she was doing laundry. The child was pushing around the laundry carts, and Person B had to tell him to slow down and stop running. When Person B pulled on Person A's shirt to get his attention, she observed that he had a bruise on his chest. She asked him how it happened, and Person A stated only that Respondent hit him in the chest. Person A did not mention anything about chopsticks or a belt, nor did he say when he was hit. The child was not crying or complaining of any pain. Person B called Person A's [REDACTED] Person C, to come pick up her [REDACTED] which she did. (Tr. 29-31, 46-49, 53-55, 59)

Person C testified that when she arrived at the laundry room, she asked Person A what happened. Person A told her that he and Respondent were arguing, and Respondent hit him with a fist, which Person A demonstrated with a punching motion. Person A also said that Respondent hit him with chopsticks. Person A did not say when this occurred. Person C observed a big black-and-blue mark on Person A's chest, with "prickle marks" dotting the left corner of the bruise. (Tr. 64-66, 100-02, 120)

While still in the laundry room, Person C used her phone to record a video of Person A (Dept. Ex. 1), where he describes what happened. On the video, Person A states that Respondent hit him with chopsticks because he wasn't listening. Person A also says that [REDACTED] Person D, hit him with chopsticks and a belt because she had a headache. At the 1:25 mark, Person C pulls down Person A's shirt from the collar to reveal the bruise on his chest. Person C also took a photograph of Person A's chest in the laundry room, showing what appears to be the bruise and the prick marks (Dept. Ex. 2).

After she stopped recording, Person C asked Person A some follow-up questions. Person A stated that initially [REDACTED] hit him with the belt and chopsticks, then called Respondent [REDACTED]. When Respondent arrived, he struck Person A with his fist and chopsticks, as previously described. When Person C asked Person A where [REDACTED] was while Respondent was hitting him, Person A replied that she had a headache. (Tr. 104-07)

Later that day, after [REDACTED], Person E, got out of work, they took Person A to [REDACTED] Hospital, where he was examined by doctors. Person C testified that Person A repeated to the doctor what had transpired. Three photographs of Person A taken at the hospital were admitted into evidence (Resp. Ex. A-C). The family remained at the hospital into the early morning hours of July 7. Person C testified that a social worker examined Person A. The social worker informed the family that ACS would be contacting them to check on Person A, which they did.

that day. Later in the afternoon, Person C and the family reported the incident to the police, and then were brought to the Child Advocacy Center. (Tr. 72 79, 109-11, 115)

According to Person C, a few days earlier, at about 2000 hours on the night of July 3, she heard Person A screaming inside his apartment, which was across the hall from Person C's. Person C also heard Person A's [REDACTED] Person D, screaming back at him, though she could not make out the specific words either of them was saying. Person C knocked on the door, which was answered by Person F, Respondent's [REDACTED] who sometimes looked after Person A [REDACTED]

[REDACTED] Person F said that she didn't want to be involved, and provided no further information. Person C left without intervening or calling the police, even though the screaming continued. There was no indication that Respondent was present at the time. Person C stated that in the past, she had witnessed Person D strike Person A with a belt, mostly on the leg. (Tr. 85, 89, 93, 95-99)

Person C testified that there were two times subsequent to this incident, after Person A started attending school, where he made allegations that he was struck by other kids at school; Person C examined Person A's body but did not observe any visible injuries to the child. Person B provided similar testimony on this point as well. (Tr. 40-42, 90, 118 19)

Person E, the [REDACTED] of Person A, testified that he had a close relationship with Respondent for over 20 years, [REDACTED] After work on July 6, Person E met Person C and Person A outside Person E's [REDACTED]s building. Person A said his chest hurt, and Person E observed some markings on his chest. Person A said that Respondent had hit him in the chest, and demonstrated with a punching motion. Person A stated that Respondent also poked him in the chest with chopsticks. Person E testified that Person A also told him that his [REDACTED] Person D, hit him with a belt, but Person A made no mention of his [REDACTED] striking him with chopsticks; Person E observed a marking on Person A's thigh from being struck with the belt by [REDACTED] At the hospital, Person E used his cell phone to take photographs of Person A's chest (Dept.

Ex. 3-4). Person E circled on the photographs the location of the injuries. He also displayed for the court and counsel the phone with which he took the photographs, which showed that they were taken on the evening of July 6. (Tr. 129-36, 145, 151-55, 176-78, 181-82)

According to Person E, police officers interviewed Person A and examined him at the Child Advocacy Center on July 7. There were IAB officers at the location. Person E noticed Respondent there in the early morning hours of July 8. Person E also testified that during a later family court proceeding, Person D acknowledged striking Person A with a belt on July 3. (Tr. 137, 160, 165-67)

Person E testified that he had taught Person A the difference between the truth and a lie, but that it was hard to say whether Person A did know the difference. (Tr. 171-72)

Sergeant Sharon Cooke of the Transit Bureau Investigations Unit testified that she conducted Department interviews of Respondent on September 8, 2017 and October 20, 2017. (Tr. 235) Recordings of each interview, and the accompanying transcripts, were admitted into evidence (Dept. Ex. 6, 6A, and 7, 7 A, respectively).

In the September 8 interview, Respondent denied that he ever hit Person A with chopsticks. He claimed that the child's [REDACTED] Person D, was the one who disciplined Person A; Respondent, himself, only spanked Person A on two occasions, with an open hand on the buttocks, but that was not recent. (Dept. Ex. 6A at 5-6) Respondent stated that he did not notify IAB about the allegation since he did not think he had done anything wrong. He also acknowledged that there had been a separate ACS investigation in April after Person C alleged that Person A was being abused; Respondent believed that case was closed in June. (Dept. Ex. 6A at 10-12)

In the October 20 interview, Sergeant Cooke revisited with Respondent the issue of whether he had ever disciplined Person A. Specifically, Sergeant Cooke asked Respondent about a statement he allegedly made to an ACS worker in a phone interview on July 11, in which

Respondent had stated that on July 3, Person A was having a tantrum, and Respondent "plucked the child in the chest seven-to-ten times, and hit him with the back of (his) hand in the chest seven-to-ten times; " Respondent also had allegedly said that he saw bruising and swelling on the child's chest the next day, July 4. When confronted with this alleged prior statement, Respondent claimed that the statement he made was similar to what the ACS worker stated, but not exactly the same. According to Respondent, he had told the ACS worker that "to get Person A's attention, I simply tapped him with the back of my hand and little light plucks to his chest. In total, everything was seven times ." Respondent did not feel that these taps to the chest constituted "discipline," which is why he did not mention it during the first Department interview. (Dept. Ex. 7A at 4-6) Respondent also acknowledged that the next day he did see reddening on Person A's chest, but did not believe that the bruising he saw was caused by his taps to the child's chest. (Dept. Ex. 7A at 6-7)

The Department Advocate introduced into evidence Person A's medical records from [REDACTED] Hospital on July 6, 2017 (Dept. Ex. 5). In those records, it states that Person A was comfortable, alert, and playful. The records also indicate a large area of ecchymosis (skin discoloration, typically caused by bruising) to Person A's chest, "with smaller dark spots consistent with child's story of being poked with chopsticks." As part of the records, there are several photographs depicting injuries to Person A's body. Social work notes state that Person A was interviewed individually and initially said that Respondent hit him in his chest with chop sticks, and also hit him with a belt, and that [REDACTED] hit him with a belt as well; Person A could not, however, say why he was hit. Later, Person A stated that they did not hit him X-rays were unremarkable, and the patient was cleared for discharge.

Sergeant Jeffrey Liss of IAB testified that he was present on July 8 when Person A was interviewed by an ACS forensic examiner at the Child Advocacy Center. The sergeant was in a

separate room, watching on a closed circuit monitor. According to Sergeant Liss, each time he was asked to explain what had happened to cause his injuries, Person A repeatedly answered. "Because I want to." Based on his observations, Sergeant Liss believed that Person A could not tell the difference between the truth and a lie. The sergeant did observe bruising on Person A's chest, though he could not recall whether he saw the bruises themselves or just photographs similar to Dept. Ex. 3 and 4. Sergeant Liss also testified that he saw Respondent at the Child Advocacy Center that day as well. (Tr. 266, 269-73, 277-78, 283-84, 289)

Detective Rashad Vandross of IAB testified that he, too, observed the July 8 interview of Person A. He confirmed that Person A repeatedly answered, "Because I want to," when questioned about what had happened to him. After the interview, Detective Vandross spoke with the forensic examiner doing the questioning, who told him that Person A could not tell the difference between the truth and a lie. Detective Vandross also saw Respondent at the Child Advocacy Center that day. (Tr. 295, 300-05)

Sergeant Kinte Willis testified that he spoke with Person A on the evening of July 7, after the child had been released from the hospital. The conversation took place while Person A was strapped into his car seat inside a vehicle. Person A told the sergeant that he had been hit in his chest with chopsticks by Respondent. Sergeant Willis used his flashlight to examine Person A's body; he looked at Person A's chest for approximately a second or two, and did not observe any markings, redness, bruising, or swelling. (Tr. 330-31, 333-36)

Respondent testified that while at work on July 3, 2017, at about 2000 hours he received a call from Person D, who told him that Person A had been having a two-hour tantrum:

[REDACTED] but he continued to scream and act up. Respondent suggested she call Person A's [REDACTED]. Respondent signed out of work at 2150 hours, and arrived [REDACTED] about 45 minutes later. He tried to speak with Person A, who was sitting at the kitchen table, about his

misbehavior. Person A was not paying attention to Respondent, instead focusing his attention on the television. Respondent attempted to speak with him once or twice, asking Person A how he felt and whether he was sad; Person A did not answer. In order to get the child's "tapped" attention, Person A Respondent in the chest with the back of his hand a total of seven times; Respondent demonstrated the taps as light flicks to the chest. When Person A still would not pay attention to his questions, Respondent sent him to bed. Respondent claimed that he did not punch Person A in the chest, and did not strike the child with chopsticks. Respondent later learned from Person D that she had hit Person A on his legs with a belt. (Tr. 339-41, 352-61)

The next morning, Respondent's [REDACTED] Person F, brought to his attention that Person A had a bruise on his chest. Respondent testified that he did observe redness to the child's chest. Person A's [REDACTED] put ice on the child's chest. At no time did Respondent hear Person A complain of pain in his chest. (Tr. 352, 362-64)

According to Respondent, he first learned of the allegation against him on July 8, when he was summoned to the Special Victims Division. Respondent explained that he did not call IAB to report the allegations because there were two MOS from IAB present at Special Victims. Sergeant Liss and Detective Vandross. Similarly, Respondent did not believe there was a need to notify IAB when ACS interviewed him on July 11, since IAB already was aware of the accusations. Respondent testified that he also did not notify IAB regarding an investigation by ACS in April of 2017, since the subject of that investigation was Person D, not Respondent. (Tr. 344-48, 364-66)

Specification I charges Respondent with striking Person A in the chest, causing bruising and chest pain. When the child's [REDACTED], Person B, discovered the bruising to his chest, Person A told her that Respondent had struck him. The child then repeated the accusation to his [REDACTED] Person C, with additional details: he stated that Respondent punched him and hit

him with chopsticks. Person C also made a video recording of Person A's statement (Dept. Ex.

I). Later that day, Person A repeated the allegation to his [REDACTED] Person E. The accounts of these witnesses were consistent and logical, and I credit that Person A did, in fact, tell them that his injuries were caused by Respondent. Further, based on the witness testimony, the video, the photographs, and the medical records, I credit that Person A did suffer injuries to his chest.

However, that finding does not end the inquiry; there remains the question of whether Person A's accusation against Respondent was truthful and accurate. On the one hand, there was no credible evidence that Person A had any reason to falsely accuse Respondent. However, Counsel for Respondent points out that there still are several areas of concern: Person A was only three-years-old at the time of the allegation, he reportedly made some accusations of being bullied by classmates at school that were not confirmed by any visible injuries, and he repeatedly answered "because I want to" when asked how he was injured by an ACS forensic examiner, leading the examiner and an IAB sergeant to question Person A's ability to distinguish a truth from a lie. Also, the medical records indicate that after initially saying that Respondent and Person D hit him, Person A later stated that they did not hit him.

In light of these concerns, it is important to consider whether there is any credible evidence to corroborate Person A's initial report to his family members. That corroboration comes from Respondent, himself, who admitted that on the night of July 3, in order to address the child's inattention, he made repeated physical contact with Person A's chest, the exact same area of the child's body where injury was observed the next day. Respondent's attempt to downplay that physical contact, by claiming that he only used his hand to "flick" Person A in the chest, was unpersuasive. He acknowledged tapping Person A seven times, and seeing redness on the child's chest early the following morning, which is indicative that Respondent did more than flick Person A. They did not take Person A for medical treatment, which would have brought more attention to the incident:

instead, Person A's [REDACTED] treated the injury by putting ice on Person A's chest. According to his Department interview of October 20, 2017 (Dept. Ex. 7A at 4-6), Respondent also made similar admissions to an ACS worker.

From the credible evidence, I find it more likely than not that Respondent's description of "tapping" the child in the chest was an effort to minimize his true culpability after learning that he had been accused by Person A. Respondent received a call at work from Person D that she was having difficulty dealing with Person A's tantrum. When Respondent arrived [REDACTED], he pursued the matter with Person A. As Person A separately described to his [REDACTED], [REDACTED] Sergeant Willis, and initially to the social worker at the hospital, as well as on video, Respondent struck him in the chest because he was misbehaving. Specifically, Respondent struck Person A with his fist and with chopsticks, which is consistent with the injuries depicted in the photographs, video, and medical records.

The record has established, by a preponderance of the credible evidence, that Respondent struck three-year-old Person A in the chest, causing bruising and chest pain. Accordingly, I find Respondent guilty of Specification 1.

Specification 2 charges Respondent with failing to notify IAB on or about July 11, 2017, after being interviewed by ACS and learning that he was being accused of injuring Person A by striking him with chopsticks. Respondent conceded that he did not notify IAB after that interview; however, he also offered a credible explanation for why he did not make a notification. Specifically, Respondent testified that when he was present at the Special Victims Division on July 8, investigators from IAB were present there as well. Sergeant Liss and Detective Vandross were well aware of the accusations against Respondent. As such, it was reasonable for Respondent to conclude that it would be duplicative and unnecessary for him to

re-inform IAB. The credible evidence has failed to establish that Respondent committed misconduct by not notifying IAB in July, and I find him not guilty of Specification 2.

Specification 3 charges Respondent with failing to notify IAB in April of 2017 after being interviewed by ACS and learning of an allegation of child abuse. Respondent acknowledged that there was an ACS investigation in April. Respondent testified that the sole target of that investigation was Person D. Respondent was not questioned and was not accused of any wrongdoing. In the absence of any credible evidence to contradict that claim, I credit Respondent's account. Since he, himself, was not being accused of any wrongdoing, the record has failed to establish that he had an obligation to notify IAB. Accordingly, I find Respondent not guilty of Specification 3.

Specification 4 charges Respondent with making one or more misleading statements in his Department interview, in that he stated that he had never disciplined Person A other than by spanking him on the buttocks. In his September 8 interview, Respondent stated that he had twice spanked Person A, and that was the only time he had ever disciplined the child. In his follow up interview on October 20, Respondent admitted that he had used the back of his hand to tap Person A in the chest seven times. Respondent claimed that he did not consider that to be discipline; he merely was trying to get Person A's attention.

However, as discussed above, I do not credit Respondent's attempt to minimize his conduct on the evening of July 3. Person D called him at work to complain about Person A's misbehavior. After work, Respondent [REDACTED] attempted to speak with the child, but Person A ignored him. Respondent then disciplined Person A by repeatedly striking the child in the chest, causing injury. Respondent's self-serving suggestion that he was only trying to gain Person A's attention with light taps of his hand was incredible, particularly in light of the credible evidence to the contrary.

As such, I find that Respondent created a false narrative of what actually transpired. The statements he made in his official Department interviews were misleading, and prejudicial to the good order, efficiency, or discipline of the Department. Accordingly, I find Respondent guilty of Specification 4.

## PENALTY

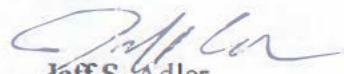
In order to determine an appropriate penalty, Respondent's service record was examined. See Matter of Pell v. Board of Educ., 34 N.Y.2d 222, 240 (1974). Respondent was appointed to the Department on July 9, 2014. Information from his personnel record that was considered in making this penalty recommendation is contained in an attached confidential memorandum. Respondent has no disciplinair record.

The Department Advocate argues that Respondent should be dismissed from the Department. Based on the seriousness of Respondent's misconduct, and the high public trust police officers must fulfill, I agree with that recommendation. Respondent has been found guilty of striking a three-year-old child in the chest, causing the injuries depicted in the photographs, video, and medical records, and described by several witnesses. As part of the incident, Respondent used a pointy object to repeatedly strike Person A, to such an extent that his actions left multiple visible prick marks on the three-year-old's chest. Respondent then compounded that misconduct by making misleading statements in his Department interviews; he created a false narrative in an attempt to minimize his culpability.

The Department strives to maintain a high standard of integrity. Respondent, as a members of service, is expected to protect a three-year-old child like Person A, not harm him. With his reprehensible conduct toward Person A, and his subsequent misleading statements. Respondent

severely violated the trust placed in him, and separation from the Department is warranted. Taking into account the totality of circumstances and issues in this case, I recommend that Respondent be DISMISSED from the New York City Police Department.

Respectfully submitted,



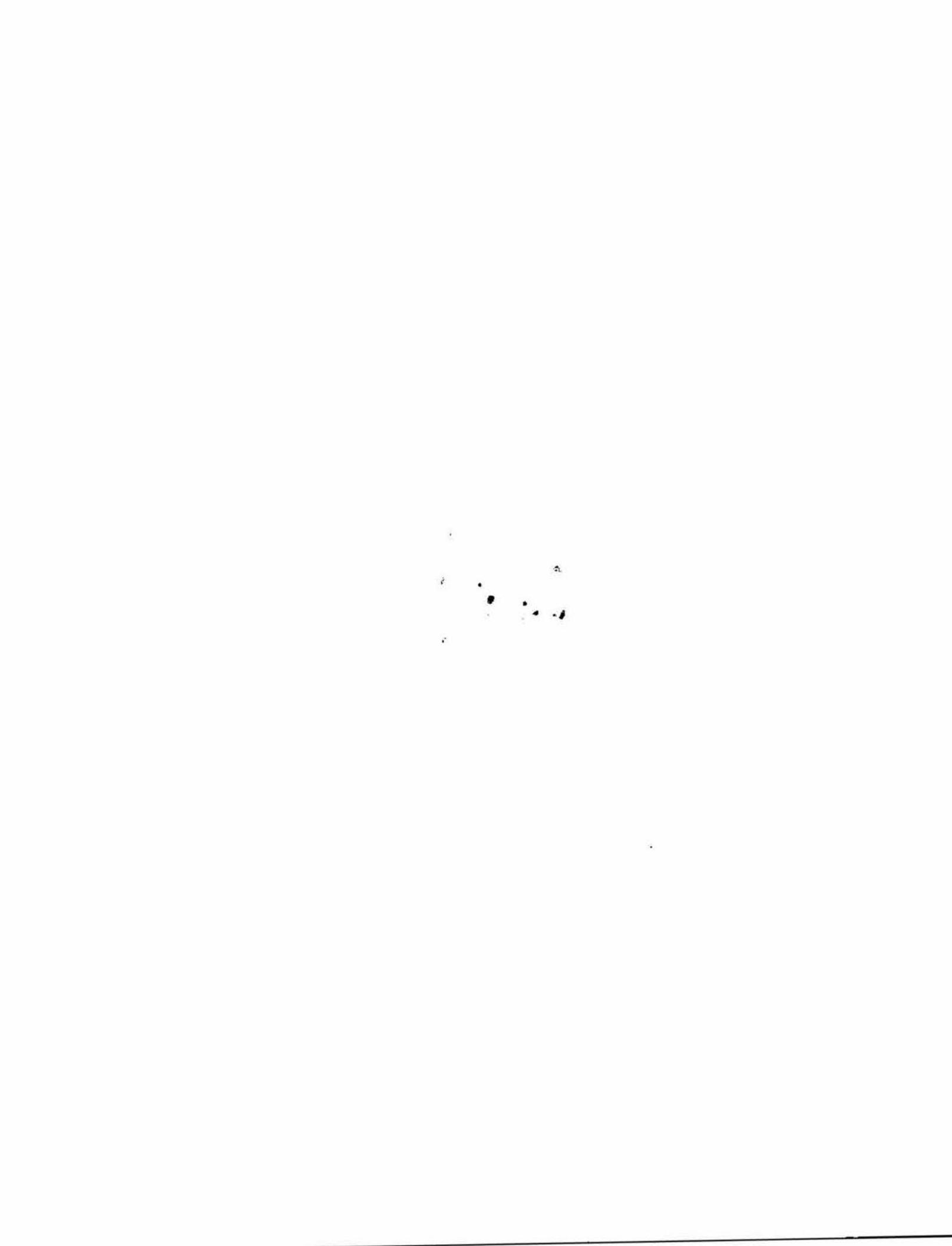
Jeff S. Adler

Assistant Deputy Commissioner Trials

## APPROVED



ANG 22 2019  
JAMES P. O'NEILL  
POLICE COMMISSIONER





POLICE DEPARTMENT CITY OF NEW YORK

From: Assistant Deputy Commissioner Trials  
To: Police Commissioner  
Subject: CONFIDENTIAL MEMORANDUM  
POLICE OFFICER DELLON HALL  
TAX REGISTRY NO. 956715  
DISCIPLINARY CASE NO. 2017-17943

Respondent was appointed to the Department on July 9, 2014. On his three most recent performance evaluations, he received one 3.5 overall rating of "Highly Competent/Competent," and two 3.0 overall ratings of "Competent." [REDACTED]

Respondent has no disciplinary record. On May 25, 2018, Respondent was placed on Level 1 Discipline Monitoring in connection with the instant matter. Monitoring remains ongoing.

For your consideration.

A handwritten signature in black ink, appearing to read "Jeff S. Adler".

Jeff S. Adler  
Assistant Deputy Commissioner Trials